

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE: KEURIG GREEN MOUNTAIN  
SINGLE-SERVE COFFEE ANTITRUST LITIGATION

No. 1:14-md-02542 (VSB)  
No. 1:14-cv-04391 (VSB)

*This Relates to the Indirect-Purchaser Actions*

**DECLARATION OF GRETCHEN EOFF REGARDING  
SETTLEMENT ADMINISTRATION STATUS**

I, GRETCHEN EOFF, declare and state as follows:

1. I am a Senior Vice President of Operations at JND Legal Administration LLC (“JND”). The following statements are based on my personal knowledge and information provided to JND by Counsel and other JND employees working under my supervision and, if called upon to do so, I could and would testify competently thereto.

2. JND previously filed a Declaration Regarding the Proposed Notice Plan, filed September 30, 2020, ECF No. 1115, and a Declaration Regarding Notice Plan and Settlement Administration, filed May 7, 2021, ECF No. 1323-1. This Declaration is being filed to further update the Court regarding Settlement Administration status.

**CLAIMS RECEIVED**

3. The Long Form Notice stated that any Class Member who wanted to receive reimbursement for their qualifying Keurig purchases must have submitted a completed Claim Form to JND, postmarked by mail or received online via the Settlement Website, no later than July 15, 2021.

4. As of March 3, 2022, JND has received a total of 81,179 timely claims (77,693 online and 3,486 by mail) and 62 untimely claims.

5. Since our last Declaration was filed in May 2021, JND completed processing of the significant volume of proof of purchase documentation claimants filed with their Claim Form(s). Many claimants submitted multiple claim submissions to supplement or correct Keurig K-Cup Portion Pack purchase detail or proof of purchase documentation.

6. In addition, JND has worked extensively with claimants filing a large volume of Keurig K-Cup Portion Pack purchases (“bulk filers”). These submissions required coordination with bulk filers by email and telephone due to requests to submit claims with data spreadsheets and many submissions were filed by claim compensation companies handling multiple bulk filer claimants. Many of these bulk filer submissions were submitted largely incomplete and bulk filing spreadsheet(s) and proof of purchase documentation were subsequently added following submission of the initial claim filing.

7. Over the last 6 months, JND has worked with Class Counsel regarding claims with deficiencies. Specifically, the bulk filer claims were largely incomplete. Most of the bulk filers submitted an initial claim submission indicating the claim would be supplemented and/or supplemental documentation would follow. This necessitated JND issuing a deficiency notice with a deadline to complete the claim so that claim processing could be completed. JND also issued a deficiency notice to the low volume of claimants who filed a claim by mail with claim deficiency (e.g., incomplete claim information, missing claim signature).

#### **SETTLEMENT ADMINISTRATION FEES AND EXPENSES**

8. The additional work JND has handled related to multiple claim submissions, proof of purchase documentation review, the necessity of adding a claim deficiency process, and unanticipated bulk filer claim issues has extended the Settlement Administration timeline and resulted in additional Settlement Administration fees and costs.

9. The Court previously authorized JND's estimated Settlement Administration fees and costs budget of \$911,286.43. This included JND's previous estimate to complete of \$460,000 which was based on Settlement Administration completion by March 2022. As of January 2022, JND has billed \$884,077.30 in Settlement Administration fees and costs. Of this \$884,077.30, \$344,250.00 or 39% was incurred on Notice Plan fees and costs (publication notice and media plan). To date, JND has been paid \$451,286.43.

10. Class Counsel is working to resolve remaining bulk filer issues. If the Settlement payment distribution occurs in May 2022, JND's current estimate to complete is \$195,000 (for February 2022 through December 2022) or \$167,790.87 after exhausting previously approved Settlement Administration fees and costs. This \$195,000 includes approximately \$41,000 to distribute an estimated 82,000 Settlement checks and \$154,000 for Settlement Administration fees and costs through December 2022 to continue maintaining the Settlement website and toll-free telephone number, handling claimant email communications, reporting, and project management including check reissues. If additional communications and work are needed on bulk filer claims, JND will incur additional Settlement Administration fees and costs for those tasks.

11. JND will continue to administer the Settlement through all phases of Settlement Administration, as required by the Stipulation of Settlement and Release, Order Granting Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Litigation Expenses, and Service Awards, Order and Final Judgment, and pursuant to any future Orders of this Court.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 10, 2022 in Seattle, Washington.



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GRETCHEN EOFF